

## **REMARKS**

Applicant believes that the amendments to the claims as well as the comments that follow will convince the Examiner that the rejections provided in the May 2, 2007 Office Action have been overcome and should be withdrawn. Applicant has amended claims 1, 29, and 53. The amendments are only to clarify the scope of the claims, and are in no way related to patentability. Applicant submits that each of the changes is supported by the specification; no new matter has been added. Claims 1-81 remain for consideration.

### **I. THE EXAMINER'S REJECTIONS**

The Examiner rejected claims 1-12 and 14-15 under 35 U.S.C. § 102(a) as being anticipated by Blumenthal *et al.*, CA. Patent No. 2,295,289 A1 (hereinafter "Blumenthal"). With regard to claim 1, the Examiner argued that:

Blumenthal teaches of migrating a subscriber's account information from one service provider to another service provider by first extracting the subscriber's account information from the source service provider and reformatting the subscriber's account information for the destination service provider. (Office Action dated May 2, 2007, p. 3)

Blumenthal teaches of migrating a subscriber's account information from one service provider to another service provider by allowing the user to select the source and destination service providers from a user interface. (Office Action dated May 2, 2007, pp. 3-4)

Blumenthal teaches of migrating a subscriber's account information from one service provider to another service provider by allowing the user to select the source and destination service providers from a user interface. (Office Action dated May 2, 2007, p. 4)

Blumenthal teaches of migrating a subscriber's account information from one service provider to another service provider by first extracting the subscriber's account information from the source service provider and

reformatting the subscriber's account information for the destination service provider. (Office Action dated May 2, 2007, p. 5)

Blumenthal teaches of migrating a subscriber's account information from one service provider to another service provider by allowing the user to select the source and destination service providers from a user interface. (Office Action dated May 2, 2007, p. 6)

Blumenthal discloses, "as used herein 'source portal' and 'destination portal' may refer to a web based service provider, a web page, a plurality of linked web pages, one or more web pages, a database or other data repository, a data store that is locally or remotely accessed, or any other computer, device or Internet domain having access to user data or any combination thereof." (Office Action dated May 2, 2007, p. 6)

Blumenthal discloses, "retrieving the user information from the source portal and writing the user information to the destination portal." (Office Action dated May 2, 2007, p. 6)

The Examiner also rejected claims 16-24, 29-37, 39-43, 46-48, 53-61, 63-67, 69-70, and 75-78 under 35 U.S.C. § 103(a) as being unpatentable over Blumenthal, in view of Abrams, U.S. Patent No. 6,151,608 (hereinafter "Abrams"). With regard to claims 29, 53, and 75, the Examiner argued that:

Blumenthal teaches of migrating a subscriber's account information from one service provider to another service provider by first extracting the subscriber's account information from the source service provider and reformatting the subscriber's account information for the destination service provider. (Office Action dated May 2, 2007, p. 10)

Blumenthal teaches of migrating a subscriber's account information from one service provider to another service provider by allowing the user to select the source and destination service providers from a user interface. (Office Action dated May 2, 2007, p. 10)

Blumenthal teaches of migrating a subscriber's account information from one service provider to another service provider by allowing the user to select the source and destination service providers from a user interface. (Office Action dated May 2, 2007, p. 11)

Blumenthal teaches of migrating a subscriber's account information from one service provider to another service provider by first extracting the subscriber's account information from the source service provider and

reformatting the subscriber's account information for the destination service provider. (Office Action dated May 2, 2007, p. 12)

Blumenthal teaches of migrating a subscriber's account information from one service provider to another service provider by allowing the user to select the source and destination service providers from a user interface. (Office Action dated May 2, 2007, p. 12)

The Examiner admitted that Blumenthal does not disclose, "normalizing the first plurality of information into a standard format" and "denormalizing the normalized first plurality of information into a second plurality of information." (Office Action dated May 2, 2007, p. 13)

The Examiner argued that:

Abrams teaches of a method for migrating data between sources or entities by mapping or associating corresponding objects between the organizations. (Office Action dated May 2, 2007, p. 14)

Abrams teaches of a method for migrating data between sources or entities by mapping or associating corresponding objects between the organizations. (Office Action dated May 2, 2007, p. 15)

Therefore, the Examiner contended that it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Abrams with the teachings of Blumenthal to "provide a method and system for migrating data without writing any code but rather using migration rules and the use to patterns to translate and transform the data to be mapped", and "in addition, to supporting conversion efforts, the invention provides support for performing consolidation, restoration from an archive, migration to new instances, upgrading to a new release, adding bolt-ons and enhancements, and changing business requirements." (Office Action dated May 2, 2007, p. 15).

The Examiner also rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Blumenthal *et al.*, in view of Drapper *et al.*, U.S. Patent No. 6,581,062 (hereinafter “Drapper”). The Examiner admitted that Blumenthal does not disclose, “wherein said extracting comprises: entering the at least one provider of services as a browser; parsing the at least one provider of services; mapping the organizational information protocol to a standard format.” and “wherein the standard format is xml.” (Office Action dated May 2, 2007, pp. 20-21)

The Examiner argued that Drapper teaches the above mentioned limitations. Therefore, the Examiner contended that it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Drapper with the teachings of Blumenthal to “[generate] a structured organization to store a collection of semi-structured-data. Collaterally, the mapper also generates a description of how the semi-structured data are stored under the structured organization.” (Office Action dated May 2, 2007, p. 21)

The Examiner also rejected claims 38, 44-45, 62, 68, and 79-81 under 35 U.S.C. § 103(a) as being unpatentable over Blumenthal *et al.*, in view of Abrams, and further in view of Drapper *et al.* The Examiner admitted that Blumenthal and Abrams do not disclose, “wherein said extracting comprises: entering the at least one provider of services as a browser; parsing the at least one provider of services; mapping the organizational information protocol to a standard format.” and “wherein the standard format is xml.” (Office Action dated May 2, 2007, p. 22)

The Examiner argued that Drapper teaches the above mentioned limitations. Therefore, the Examiner contended that it would have been obvious to one of ordinary

skill in the art at the time of the invention was made to combine the teachings of Drapper with the teachings of Blumenthal and Abrams to “[generate] a structured organization to store a collection of semi-structured-date. Collaterally, the mapper also generates a description of how the semi-structured data are stored under the structured organization.” (Office Action dated May 2, 2007, p. 22).

The Examiner also rejected claims 25-28 under 35 U.S.C. § 103(a) as being unpatentable over Blumenthal *et al.*, in view of Burson *et al.*, U.S. Patent No. 6,405,245 (hereinafter “Burson”). The Examiner admitted that Blumenthal does not disclose, “further comprising billing the second at least one provider of services for the user migrated to the second at least one provider of services”; “further comprising billing the user for the user migrated to the second at least one provider of services”; “further comprising billing the second at least one provider of services for the method of migrating information”; and “wherein said billing comprises billing the second at least one provider of services for a link to the method of migrating information on the second at least one provider of services.” (Office Action dated May 2, 2007, p. 23).

The Examiner argued that Burson teaches the above mentioned limitations. Therefore, the Examiner contended that it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Burson with the teachings of Blumenthal to recover for the cost of providing a service to the client as well as the new service provider.

Finally, the Examiner rejected claims 49-52 and 71-74 under 35 U.S.C. § 103(a) as being unpatentable over Blumenthal, in view of Abrams, and further in view of Burson. The Examiner admitted that Blumenthal and Abrams do not disclose, “further

comprising billing the second at least one provider of services for the user migrated to the second at least one provider of services”; “further comprising billing the user for the user migrated to the second at least one provider of services”; “further comprising billing the second at least one provider of services for the method migrating information”; and “wherein said billing comprises billing the second at least one provider of services for a link to the method of migrating information on the second at least one provider of services.” (Office Action dated May 2, 2007, pp. 24-25)

The Examiner argued that Burson teaches the above mentioned limitations. Therefore, the Examiner contended that it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Burson with the teachings of Blumenthal and Abrams to recover for the cost of providing a service to the client as well as the new service provider.

## **II. THE EXAMINER’S REJECTIONS SHOULD BE WITHDRAWN**

The Examiner rejected claims 1-12 and 14-15 under 35 U.S.C. 102(a) as being anticipated by Blumenthal. Applicant respectfully disagrees and submits that Blumenthal fails to teach all of the elements of Applicant’s claims.

Briefly, Blumenthal discloses “[a] method and computer program product [] provided to migrate user information from one internet-based service provider to another. The migration of user information includes obtaining access information from a user, which is used to access the respective source and destination service providers. Once access is obtained, the user information on the source service provider is located and transferred to the destination service provider.” (Blumenthal, Abstract).

Specifically, Blumenthal discloses that a portal object can be created only after the user initiates a migration. “The first step required the user to not only initiate the migration, but also supply a user name and password, which enable access to the user information. After the user name and password have been obtained for both the source and destination internet-based service providers, a portal object is created for each provider.” (Emphasis added). (Blumenthal, pg. 9, Lines 4-10).

The Blumenthal internet-service provider migration embodiment, as well as all other embodiments disclosed in the Blumenthal reference require that the portal object be created only after the user initiates a migration. Initially, the user is required to provide the “user name” and “user password” to authorize the migration process. “By providing the user name and the user password for both the source portal and the destination portal, the automated process of migrating the user information is authorized by the user.” (Blumenthal, pg. 19, Lines 4-7). Therefore, Blumenthal’s migration process can not start without authorization from the user, and thus the portal object will not be created prior to the authorization from the user.

As shown in Blumenthal’s Figure 3, the creation of the portal object is a step which must occur after the user supplies the “user name” and “user password” to initiate the migration. For example:

“In step 100, the user access information is obtained. User access information is needed to gain access to the user information on the particular portal and typically comprises a user name and a user password.” (Blumenthal, pg. 22, Lines 7-9)

“In step 102, a portal object is created for both the source and destination portals.” (Blumenthal, pg. 22, Line 13)

In fact, in each of the embodiments disclosed in Blumenthal, the portal object is created after the user initiates the migration.

Applicant submits that its claims are different from the disclosure of Blumenthal.

Claim 1 requires first “extracting organizational information from at least two providers of services to form at least two organizational information protocols, wherein one organizational information protocol corresponds to one of the at least two providers of services.” Then once the organizational information is extracted from the providers of service, independent claim 1 requires, “providing a migration selection interface to a user for selection of one of the at least two providers of services, said one of the at least two providers of services having a corresponding organizational information protocol.”

To provide a migration selection interface to a user for selection of one of the at least two providers of services, said one of the at least two providers of services having a corresponding organizational information protocol requires that the organizational information be extracted before the selection of the provider of services. Therefore, the “organizational information protocol” was created prior to the user’s “selection of one of the at least two providers of services”. Thus, the user is provided with a list of available providers of services, where “the at least two providers of services having a corresponding organizational information protocol comprising said organizational information protocols” to choose for migration. This is in distinction to the Blumenthal reference, where a portal object can be created only after the user initiates the migration.

Accordingly, Applicant respectfully submits that Blumenthal fails to teach or disclose “providing a migration selection interface to a user for selection of one of the at least two providers of services, said one of the at least two providers of services having a



corresponding organizational information protocol” as required by independent claim 1. Therefore, independent claim 1 is not anticipated by Blumenthal and is in condition for allowance. The Examiner is respectfully requested to withdraw the rejection. Dependent claims 2-12 and 14-15 are dependent on and contain all the limitations of allowable independent claim 1 and are therefore also not anticipated by Blumenthal and are therefore in condition for allowance. Hence, the Examiner is respectfully requested to withdraw the rejections.

The Examiner also rejected claims 16-24, 29-37, 39-43, 46-48, 53-61, 63-67, 69-70, and 75-78 under 35 U.S.C. § 103(a) as being unpatentable over Blumenthal, in view of Abrams. Applicant respectfully disagrees and submits that no combination of references teach or suggest all of the claim elements of the present invention.

Independent claim 29 requires first “extracting organizational information from at least two providers of services to form at least two organizational information protocols, wherein one organizational information protocol corresponds to one of the at least two providers of services.” Then once the organizational information is extracted from the providers of service, independent claim 29 requires, “providing a migration selection interface to a user for selection of one of the at least two providers of services, after forming said one of the at least two organizational information protocols.”

To providing a migration selection interface to a user for selection of one of the at least two providers of services, after forming said one of the at least two organizational information protocols requires that the organizational information be extracted before the selection of the provider of services.. Therefore, the “organizational information protocol” was created prior to the “selection of one of the at least two providers of

services”. Instead, the user is provided with a choice of providers of services only after the step of “extracting organizational information from at least two providers of services to form at least two organizational information protocols, wherein one organizational information protocol corresponds to one of the at least two providers of services” is complete. This is in distinction to the Blumenthal reference, where a portal object can be created only after the user initiates the migration.

Accordingly, Applicant respectfully submits that Blumenthal fails to teach or disclose “providing a migration selection interface to a user for selection of one of the at least two providers of services, said one of the at least two providers of services having a corresponding organizational information protocol” as required by independent claim 29. Further, there is no disclosure, teaching, motivation or suggestion in Abrams for “providing a migration selection interface to a user for selection of one of the at least two providers of services, after forming said one of the at least two organizational information protocols.”

Independent claim 53 requires “providing a migration selection interface to a user for selection of one of the at least two providers of services, said one of the at least two providers of services having an organizational information protocol associated therewith”.

To provide a migration selection interface to a user for selection of one of the at least two providers of services, said one of the at least two providers of services having an organizational information protocol associated therewith, requires that the organizational information be formed prior to the selection of the provider of services by

the user. This is in distinction to the Blumenthal reference, where a portal object can be created only after the user initiates the migration.

Accordingly, Applicant respectfully submits that Blumenthal fails to teach or disclose “providing a migration selection interface to a user for selection of one of the at least two providers of services, said one of the at least two providers of services having an organizational information protocol associated therewith” as required by independent claim 53. Further, there is no disclosure, teaching, motivation or suggestion in Abrams for “providing a migration selection interface to a user for selection of one of the at least two providers of services, said one of the at least two providers of services having an organizational information protocol associated therewith.”

Further, with regard to claims 29, 53, and 75, the Examiner states that it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Abrams with the teachings of Blumenthal to “provide a method and system for migrating data without writing any code but rather using migration rules and the use of patterns to translate and transform the data to be mapped.” (Abrams, Col. 5, Lines 30-33); and, “in addition, to supporting conversion efforts, the invention provides support for performing consolidation, restoration from an archive, migration to new instances, upgrading to a new release, adding bolt-ons and enhancements, and changing business requirements.” (Abrams, Col. 5, Lines 59-63). Applicant respectfully disagrees and submits that there is no motivation, suggestion or teaching to combine Abrams’ “Method and System for Migrating Data” with Blumenthal’s “Automatic Migration between Web-based Services” to achieve the Applicant’s invention.

As stated by the Examiner, Abrams discloses providing “a method and system for migrating data *without writing any code* but rather using migration rules and the use of patterns to translate and transform the data to be mapped.” (Abrams, Col. 5, Lines 30-33) (Emphasis added). In contrast, Blumenthal’s “portal object” is created, using code, for each provider. As stated by Blumenthal, “The portal object also supplies routines that enable the user information stored on an internet-based service provider to be located and transferred.” (Blumenthal, p. 9, Lines 9-10) Therefore, combining Blumenthal’s teaching with Abrams’ disclosure would require “writing code” which defeat the purpose of Abrams’ reference.

However, it is well settled that “if a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.” MANUAL OF PATENT EXAMINING PROCEDURE § 2143.01 (citing *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)). As such, the proposed modification of Abrams would render it unsatisfactory for its intended purpose. Accordingly, any such rejection would be improper and Applicant respectfully requests that the Examiner’s rejections under 35 U.S.C. § 103 be reconsidered and withdrawn.

Accordingly, claims 16-24, 30-37, 39-43, 46-48, 54-61, 63-67, 69-70 and 76-78 are dependent on allowable independent claims 1, 29, 53 and 75 and are also not disclosed, taught or suggested by any reference, alone or in combination, and are therefore in condition for allowance. Hence, the Examiner is respectfully requested to withdraw the rejections.

The Examiner also rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Blumenthal, in view of Drapper. Applicant respectfully disagrees and submits that no combination of references teach or suggest all of the claim elements of the present invention.

As shown above, Blumenthal fails to disclose “providing a migration selection interface to a user for selection of one of the at least two providers of services, said one of the at least two providers of services having a corresponding organizational information protocol” as required by allowable independent claim 1. Likewise, there is no disclosure in Drapper of “providing a migration selection interface to a user for selection of one of the at least two providers of services, said one of the at least two providers of services having a corresponding organizational information protocol”. Because dependent claim 13 is dependent on allowable independent claim 1 and thus is also not anticipated or obviated by the references, alone or in combination, claim 13 is therefore in condition for allowance. Hence, the Examiner is respectfully requested to withdraw the rejection.

The Examiner also rejected claims 38, 44-45, 62, 68, and 79-81 under 35 U.S.C. § 103(a) as being unpatentable over Blumenthal, in view of Abrams, and further in view of Drapper. Applicant respectfully disagrees and submits that no combination of references teach or suggest all of the claim elements of the present invention.

As shown above, neither Blumenthal nor Abrams anticipate or obviate, alone or in combination, all of the elements of allowable independent claims 29 and 53. Further, Drapper also fails to anticipate or obviate, alone or in combination, all of the elements of allowable independent claims 29 and 53. Because claims 38 and 44-45 are dependent on allowable independent claim 29 and claims 62 and 68 are dependent on allowable

independent claim 53, they are also not anticipated or obviated by the references, alone or in combination, and are therefore in condition for allowance. Hence, the Examiner is respectfully requested to withdraw the rejections.

Further, claims 79-81 are dependent on allowable independent claim 75 and are also not obviated by the references, alone or in combination, and are therefore in condition for allowance. Hence, the Examiner is respectfully requested to withdraw the rejections.

The Examiner also rejected claims 25-28 under 35 U.S.C. § 103(a) as being unpatentable over Blumenthal, in view of Burson. Applicant respectfully disagrees and submits that no combination of references teach or suggest all of the claim elements of the present invention.

As shown above, Blumenthal fails to disclose “providing a migration selection interface to a user for selection of one of the at least two providers of services, said one of the at least two providers of services having a corresponding organizational information protocol” as required by allowable independent claim 1. Likewise, there is no disclosure in Burson of “providing a migration selection interface to a user for selection of one of the at least two providers of services, said one of the at least two providers of services having a corresponding organizational information protocol”. Because dependent claims 25-28 are dependent on allowable independent claim 1 and thus are also not anticipated or obviated by the references, alone or in combination, they are therefore in condition for allowance. Hence, the Examiner is respectfully requested to withdraw the rejections.

Finally, the Examiner rejected claims 49-52 and 71-74 under 35 U.S.C. § 103(a) as being unpatentable over Blumenthal, in view of Abrams, and further in view of

Burson. Applicant respectfully disagrees and submits that no combination of references teach or suggest all of the claim elements of the present invention.

As shown above, none of Blumenthal, Abrams, or Burson anticipate or obviate, alone or in combination, all of the elements of allowable independent claims 53 and 75. Because claims 49-52 are dependent on allowable independent claim 53 and claim 71-74 are dependent on allowable independent claim 75, they are also not anticipated or obviated by the references, alone or in combination, and are therefore in condition for allowance. Hence, the Examiner is respectfully requested to withdraw the rejections.

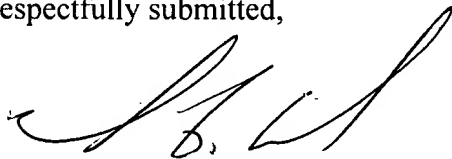
### **III. CONCLUSION**

Applicant submits that the specification, drawings, and all pending claims represent a patentable contribution to the art and are in condition for allowance. No new matter has been added. Early and favorable action is accordingly solicited.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

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Respectfully submitted,



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